

APPEAL NO. 020104
FILED FEBRUARY 19, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 12, 2001. The hearing officer determined that the respondent (claimant) sustained a compensable injury; that the date of injury is _____; and that the appellant (self-insured) is not relieved from liability under Section 409.002 because the claimant timely notified her employer of her injury pursuant to Section 409.001. The self-insured appeals on sufficiency of the evidence grounds. The claimant responded, urging affirmance.

DECISION

Affirmed, as modified.

Both parties pointed out that the hearing officer erroneously stated in the Decision and Order that the parties had stipulated that the employer was (employer 1). The parties actually stipulated that the employer is the (employer 2). We modify the Decision and Order to show the correct employer.

The hearing officer did not err in reaching the complained-of determinations. The issues all involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer, as modified.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**MAYOR
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Michael B. McShane
Appeals Judge

CONCUR:

Robert W. Potts
Appeals Judge

Edward Vilano
Appeals Judge